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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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10/507,287

06/17/2005

Ken Rasmussen

37045

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116 7590 05/18/2007
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EXAMINER

BLOODGOOD, RUSSELL F

ART UNIT

PAPER NUMBER

3634

MAIL DATE

DELIVERY MODE

05/18/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

| | | | | |
|------------------------------|----------------------|--|----------------|--|
| Office Action Summary | Application No. | | Applicant(s) | |
| | 10/507,287 | | RASMUSSEN, KEN | |
| | Examiner | | Art Unit | |
| | Russell F. Bloodgood | | 3634 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 September 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 September 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>9/10/2004</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Information Disclosure Statement

1. The information disclosure statement filed 9/10/2004 fails to comply with 37 CFR 1.98(a)(2), which requires a legible copy of each cited foreign patent document; each non-patent literature publication or that portion which caused it to be listed; and all other information or that portion which caused it to be listed. It has been placed in the application file, but the information referred to therein has not been considered.

Drawings

2. New corrected drawings in compliance with 37 CFR 1.121(d) are required in this application because the reference and figure labels are inconsistent and unclear because they are done by hand. Applicant is advised to employ the services of a competent patent draftsman outside the Office, as the U.S. Patent and Trademark Office no longer prepares new drawings. The corrected drawings are required in reply to the Office action to avoid abandonment of the application. The requirement for corrected drawings will not be held in abeyance.

Specification

3. The disclosure is objected to because of the following informalities:

- a. The disclosure fails to include the proper headings preceding each individual section (see the MPEP: 37 CFR 1.77(b)).

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b. The words "excentric", "excentrically", and "excentricity" are used throughout the disclosure. The Examiner suggests the spellings be changed to - - eccentric, eccentrically, and eccentricity - -, respectively, which are the more common spellings within the art.

c. On page 4, line 14, the word "excentic" is incorrect, the Examiner suggests changing the spelling to - - eccentric - - or - - excentric - -.

d. On page 4, line 16, the word "excentricity" is incorrect, the Examiner suggests changing the spelling to - - eccentricity - - or - - excentricity - -.

e. On page 5, line 6, the word "obious" is an incorrect spelling and should be changed to - - obvious - -.

Appropriate correction is required.

Claim Objections

4. Claims 1-6 are objected to because of the following informalities:

a. The words "excentric", "excentrically", and "excentricity" are used in the claim language. The Examiner suggests the spellings be changed to - - eccentric, eccentrically, and eccentricity - -, respectively, which are the more common spellings within the art.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

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The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 1-6 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites the limitation "the axis" in line 6. There is insufficient antecedent basis for this limitation in the claim.

Claim 1 recites the limitation "said axis" in line 6. There is insufficient antecedent basis for this limitation in the claim.

Claim 1 recites the limitation "the thickness" in line 7. There is insufficient antecedent basis for this limitation in the claim.

Claim 1 recites the limitation "the inside" in line 8. There is insufficient antecedent basis for this limitation in the claim.

Claim 1 recites the limitation "the axis" in line 11. There is insufficient antecedent basis for this limitation in the claim.

Claim 1 recites the limitation "the other longer side" in line 12. There is insufficient antecedent basis for this limitation in the claim.

Claim 2 recites the limitation "the width" in line 3. There is insufficient antecedent basis for this limitation in the claim.

Claim 3 recites the limitation "the slit" in line 3. There is insufficient antecedent basis for this limitation in the claim.

Claim 3 recites the limitation "the edge parts" in line 3. There is insufficient antecedent basis for this limitation in the claim.

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Claim 3 recites the limitation "the slit" in line 4. There is insufficient antecedent basis for this limitation in the claim.

Claim 3 recites the limitation "the weight" in line 4. There is insufficient antecedent basis for this limitation in the claim.

Claim 3 recites the limitation "the fabric" in line 5. There is insufficient antecedent basis for this limitation in the claim.

Claim 5 recites the limitation "a roller blind tube" in line 3. There is insufficient antecedent basis for this limitation in the claim.

Claim 6 recites the limitation "a roller blind tube" in line 3. There is insufficient antecedent basis for this limitation in the claim.

Allowable Subject Matter

6. Claims 1-6 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.

Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Russell F. Bloodgood whose telephone number is 571-272-5712. The examiner can normally be reached on Mon - Fri: 8:30-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Cuomo can be reached on 571-272-6856. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

RFB


Peter M. Cuomo
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